

# **RSC MEMORANDUM**

**TO:** Republican Study Committee **FROM:** Chairman Jim Banks

**DATE:** May 23, 2022

**RE:** The Politicization of Public Health

# The Politicization of Public Health: The Left's Sick Agenda and Our Nation's Health

**BIG PICTURE:** Trust in the public health bureaucracy is at a <u>historic low</u>. Americans rightly feel that Washington bureaucrats have abandoned common sense and the common good for political purposes.

During the COVID-19 pandemic, the Left embraced Rahm Emmanuel's famous quip, "never let a good crisis go to waste."

At first, many of their policies went unchallenged. But public health authorities soon started issuing nonsensical, contradictory directives and embracing partisan rhetoric.

"These directives increasingly burdened Americans but had no obvious effect on the spread of COVID. When Americans pointed this out, authorities responded with censorship, not evidence, and commanded them to "follow the science." Dr. Fauci clarified what he meant when he declared, "I am the Science."

Soon, many Americans realized the Left had twisted the term "public health" into a catch-all for leftist policies that limited their basics liberties.

But this didn't start in 2019. For years, the Left has been using "public health" as an excuse to advance its radical agenda.

Instead of allowing the nation's core public health agencies, such as the Centers for Disease Control and Prevention (CDC) and the National Institutes of Health (NIH), to focus on preventing and controlling diseases and improving public health, the left has turned them into political tools.

Holding partisan public health bureaucrats accountable should be a major oversight priority for House Republicans after 2022. That is why I had my staff analyze how Democrats have led our nation's public health infrastructure off course, and what Conservatives can do to put these agencies back on the right track.

# The Left's Public Health Trojan Horse

# **Liberal Subterfuge**

Many on the political left have <u>pushed</u> the lie that conservatives "distrust public health." It isn't public health policy that we have come to distrust, but rather how it is used by the Left to cloak their partisan agenda. Mercatus scholar Robert Graboyes summed it up <u>succinctly</u>:

"The problem is not merely one of ideology, but also of elitism. It appears that during the pandemic, <u>public</u> <u>officials at times withheld information from the public</u>, disseminated false information, and <u>suppressed</u> <u>dissenting voices</u>. As a nonscientist, I am in no position to offer definitive opinions on the technical aspects of COVID-19 (e.g., the lab leak theory, efficacy of masks, relative merits of focused protection versus lockdowns, school closings, and vaccine passports). But it is obvious to me that public health's efforts to suppress evidence of a lab leak, the public denial of masks' efficacy (perhaps to prevent runs on supplies), and attempts to silence academic dissenters has taken a significant toll on the credibility of and trust in public health officials." (emphasis added)

# **Distorting the Meaning of Public Health**

Leftists have abused Americans' willingness to make sacrifices for public health. They have sought to define everything from <u>racism</u> to <u>policing</u> to <u>gun rights</u> to the <u>minimum wage</u> as public health issues.

These arguments aren't solely those of fringe ideologues. They've found political safe-haven in the Biden administration, which has publicly endorsed the idea of "racism as a public health threat." Dr. Anthony Fauci reiterated this point, claiming racism has an "undeniable" impact on health outcomes. In two separate Executive Orders (EOs) in his first week in office, the administration extended the reach of public health as far as it could. The first order, citing public health in its title, tackled everything from restoring national monuments to revoking the Keystone XL pipeline. The order, however, fails to even mention the pandemic, or any other actual public health issues. Instead, it simply takes the notion that climate change is a public health issue for granted. The second EO required almost every Federal agency to put climate change at the top of its agenda.

# **Centers for Disease Control and Prevention**

# Abuse of Power by Biden's CDC

The failures of CDC bureaucrats during the pandemic is <u>well documented</u>. Once held as the gold standard in public health, the CDC experienced a fall from grace during the pandemic. The Biden administration's abuse of the agency's power has played no small part in that phenomenon.

In April, a Federal judge <u>struck down</u> a CDC mask mandate that went far beyond the agency's jurisdiction. As the <u>court order</u> noted, if Congress intended to give CDC the power it cited, "the power bestowed on the CDC would be breathtaking. And it certainly would not be limited to modest measures of 'sanitation' like masks." The court went on to note that "the Mandate exceeded the CDC's statutory authority, improperly invoked the good cause exception to notice and comment rulemaking and failed to adequately explain its decisions." Anthony Fauci <u>scoffed</u> at the notion of checks and balances when he stated that a United States Federal Court should not be able to overrule a faceless government bureaucrat when "public health" is at issue.

Of course, this isn't the first time the Biden administration has sought to use the agency for such purposes. Early in the administration, the agency tried to extend its purview over local property law by attempting to extend an <u>eviction moratorium</u> in the name of public health. The administration's actions and arguments were found unconstitutional.

#### **CDC Mission Creep**

While the CDC's mission creep into areas such as <u>critical race theory</u>, <u>gun violence</u>, <u>climate change</u> didn't start with the Biden administration, they certainly fueled it. For example, President Biden recently requested a boost of \$100 million for climate change activities and a \$12.5 million increase for gun research at the CDC.

CDC's mission creep contributed to its inability to successfully respond to the pandemic. With its resources spread far beyond the scope of its core mission, it's no surprise the agency couldn't even respond to threats in its own back yard. If the agency spent less time trying to enforce politically correct leftist speech codes, they would have more resources available to respond to public health emergencies, which have a disproportionate impact on poverty-stricken Americans.

Conservatives must mount a direct challenge to the very culture that has taken hold of the agency. That culture has led the agency to <u>downplay</u> the effectiveness of natural immunity and use <u>bad data</u> to justify its mask mandates. The CDC found its <u>scientific integrity</u> in the cross hairs by withholding information related to vaccine efficacy. In April, the GAO found that the CDC <u>lacked necessary measures</u> to address political interference in scientific decision-making.

# **A Conservative Response**

In order to drive that challenge, conservatives should reign in the CDC's ever expanding <u>mission creep</u> and eliminate unnecessary or duplicative initiatives.

Specifically, conservatives should consider:

- Refocusing the CDC on its core mission as a public health emergency response agency. Conservatives should reallocate resources from the Left's priorities, including such efforts on gun violence, climate change, and tobacco. Conservatives should consider cutting funding for CDC efforts that are duplicative of efforts conducted by NIH, such as those on heart disease and tobacco.
- Require the CDC to be transparent with the American public about the date used in public health decision-making to ensure its decisions are based on science and not ideology.
- Require the Director of the CDC be Senate-confirmed, and increased oversight of political appointees at the CDC
- Transferring appropriate CDC career staff to the U.S. Public Health Service (USPHS) Commissioned Corps and enacting reforms to the USPHS to bring greater accountability and structure to the CDC.

# **National Institutes of Health**

## Politics over Public Health at the NIH

The NIH and its political proclivities are harder to quantify. That is due to the nature of the bureaucracy at the NIH, which is composed of 27 different institutes through which funding is funneled to research institutions. That funnel has made it easier for federal taxpayer dollars to be used to promote radical ideology without proper oversight.

That lack of transparency was <a href="https://www.dropbox.com/s/0q0ihmnerlexbp6/Request for Investigation - HHS Scientific Integrity.pdf?dl=0">https://www.dropbox.com/s/0q0ihmnerlexbp6/Request for Investigation - HHS Scientific Integrity.pdf?dl=0</a> made clear by <a href="public remarks">public remarks</a> from the Institutes' former Director, Francis Collins. Collins unequivocally dismissed the efficacy of natural immunity with no peer-reviewed scientific backing. Yet instead of gearing NIH's efforts towards learning more about the spread of COVID-19, the agency sought to advance social agendas. <a href="According">According</a> to Dr. Marty Makary, the NIH funded 257 grants on social disparities related to COVID-19, but only four on its spread.

That bias is in large part due to a submission process that <u>entrenches group think</u>. When that group is decidedly Left leaning, it should be no surprise that the resulting research is funneled to ideologically oriented efforts. That institutionalized politicization directly resulted in a bureaucracy within NIH that has been <u>slow to shift resources</u> towards public health threats.

#### **Wasteful Spending**

Further exacerbating this issue is the way research dollars are dispersed. Woke universities have managed to game the bureaucratic system by using "overhead costs" to funnel federal research dollars to ideological "diversity, equity, and inclusion" efforts. Not only is this gaming not prevented by NIH, it openly encourages it.

These overhead costs, or <u>indirect costs</u>, are <u>meant to be capped</u> at 26%. Yet Universities, <u>particularly elite universities</u>, have managed to work the system resulting in the agency allocating an <u>average of 52%</u> of its research dollars on such costs.

Concerns with the way taxpayer dollars are spent go beyond grant funding, however. The pandemic highlighted the lack of accountability for funds going overseas, including funds flowing to research supported by the Chinese Communist Party.

## **A Conservative Response**

To challenge the group think that pervades the NIH's bureaucracy, conservatives should consider measures to restore the NIH to its basic science mission.

Specifically, conservatives should consider:

- Effectively <u>capping indirect costs</u> could ensure such funds aren't funneled to politically favored woke institutions. Further, Congress could consolidate authority for indirect rate negotiations for NIH grants in a single office at the NIH and implement reporting requirements for such costs.
- <u>Increasing transparency measures for grant funding</u> to ensure such funding is geared towards basic science and not the Left's social engineering. Such measures should include requiring organizations to specify and make public where indirect dollars flow for all extramural grants
- <u>Consolidate the NIH's 27 institutes</u> to enhance the agencies focus. In consolidating the institutes, conservatives should focus efforts on rooting out elements of the Left's social agenda that have been institutionalized at NIH.
- <u>Focusing oversight activities on ensuring political appointees at NIH are accountable and</u> tasking HHS OIG with increased oversight of grant-making to protect against problematic project selection. Such policies would help ensure NIH has the capability to better adjust project solution to the needs of the moment.
- Enacting <u>policies</u> to <u>ensure American research dollars don't go to Chinese Communist Party companies</u>, the Russian Federation, and other adversarial nations.

## **Conclusion**

The CDC and NIH have strayed far from their original missions. The CDC was founded to combat infectious diseases. The NIH's established mission is to seek fundamental knowledge to enhance health, lengthen life, and reduce illness and disability. Instead, both agencies have been influenced by an ideological public health academia and advance the Left's war on American culture. Conservatives would be wise to root out this institutional rot at these institutions and return them to their core missions.

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